



*JRW/B*

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Masaaki ONA

Appln. No.: 09/757,575

Confirmation No.: 8354

Filed: January 11, 2001

Docket No: Q59273

Allowed: July 29, 2005

Group Art Unit: 2682

Examiner: Charles R. CRAVER

For: OPENING/CLOSING STRUCTURE FOR A FLIP ATTACHED TO A PORTABLE PHONE

**COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

**MAIL STOP ISSUE FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant notes that the Examiner's particular comments regarding the reasons for allowance do not accurately reflect the claim language. For instance, none of independent claims 1-3 recite that the "contact portion is... metallized". Also, for instance, none of the independent claims 1-3 recite a "biasing means".

Applicant respectfully submits that the scope of the claims should be governed by the actual claim language, not by the Examiner's reasons for allowance.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application."

Comments on Examiner's Statement of Reasons for Allowance  
U.S. Appln. No. 09/757,575

Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated July 29, 2005.

Respectfully submitted,

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WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: October 4, 2005

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